



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: MAY 8, 2006

*III.3*  
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-06-12  
3505 CADILLAC AVENUE, SUITES G4 AND G5

DATE: APRIL 27, 2006

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER  
(714) 754-5611

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## **PROJECT DESCRIPTION**


The applicant is requesting approval of a conditional use permit to allow an existing church (St. Barnabus Orthodox Church) located in Suite G3 to expand into two adjacent suites for multipurpose uses (i.e., meetings, classes, and similar gatherings), and administrative offices with no worship services, in a portion of an existing industrial building.

## **APPLICANT**

The applicant is Kevin Allen, representing the property owner, Richard Bauer.

## **RECOMMENDATION**

Approve by adoption of Planning Commission resolution, subject to conditions.

  
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MEL LEE, AICP  
Senior Planner

  
\_\_\_\_\_  
R. MICHAEL ROBINSON, AICP  
Asst. Development Services Director

**BACKGROUND**

The subject property contains Cambridge Business Park, an industrial complex containing a total of 228,000 square feet of buildings on a 14-acre site. On November 24, 1997, Planning Commission approved PA-97-50 to allow the church to conduct worship services in Suite G3, towards the rear of the complex.

**ANALYSIS**

The applicant is proposing to expand the church operation into adjacent Suites G4 and G5. The use of the Suites would be for multipurpose uses (i.e., meetings, classes, and similar gatherings), and administrative offices. No worship services are proposed in the expanded Suites and no changes to the sanctuary/worship area in Suite G3 is proposed. Under code, expansion of the use requires approval of a conditional use permit.

According to the applicant, hours of operation for meetings, classes, and similar gatherings will be limited to the evening hours on weekdays and Saturdays, and in the morning and early afternoon on Sundays. The administrative offices would be open regular weekday business hours. Although offset hours of operation for the multipurpose rooms are proposed by the applicant to prevent parking conflicts with the other businesses within the center, a minor conditional use permit is not required because the number of parking spaces required by code for church uses is based on the square footage and/or number of seats within the sanctuary/worship area, which, as indicated previously, is not changing or expanding with this application (57 parking spaces are required for the existing church; 57 spaces are provided per the approval of PA-97-50). It is staff's opinion the proposed use will be reasonably compatible with the surrounding area.

**GENERAL PLAN CONFORMITY**

The floor area ratio (FAR) for the entire site is 0.37, which exceeds the maximum allowable FAR of .30 for moderate traffic uses, but is considered legal nonconforming because of the mix of uses occupying the site. The proposed use will not increase the degree of nonconformity of the moderate traffic FAR and is, therefore, consistent with the General Plan.

**ALTERNATIVES**

If the conditional use permit were denied, it would prevent the use from expanding as proposed. The applicant could not submit substantially the same type of application for six months.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities.

**CONCLUSION**

The proposed expansion would operate in the evening hours and on weekends to reduce any adverse parking impacts to businesses on the site. Therefore, staff supports the use.

Attachments:      Draft Planning Commission Resolution  
                         Exhibit "A" - Draft Findings  
                         Exhibit "B" - Draft Conditions of Approval  
                         Applicant's Project Description and Justification  
                         Staff Report for PA-97-50  
                         Zoning/Location Map  
                         Plans

cc:                    Deputy City Manager - Dev. Svs.  
                         Senior Deputy City Attorney  
                         City Engineer  
                         Fire Protection Analyst  
                         Staff (4)  
                         File (2)

Kevin Allen  
3603 E. Mandeville Place  
Orange, CA 92867

Richard Bauer  
1118 Somerset Lane  
Newport Beach, CA 92660

File: 050806PA0612	Date: 042606	Time: 1:00p.m.
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PLANNING DIVISION - CITY OF COVINA MESA  
DESCRIPTION/JUSTIFICATION

Application #: PA-06-12

Environmental Determination: *EXEMPT*

Address: 3505 Cadillac Ave #G4 & #G5

1. Fully describe your request:

*See Attached please!*

2. Justification

- A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

*" " "*

- B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☐ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

  
Signature

*3/3/06*  
Date

- Project Address: 3505 Cadillac Avenue, Costa Mesa, Ca
- Building Numbers: G-5/4
- Name of Applicant: St. Barnabas Orthodox Church / Kevin Allen
- Telephone (K. Allen): 714-974-6199; Cell: 714-299-5469

### Justification for a conditional use permit

1. This application is for a contiguous (attached) building unit to one St. Barnabas has already been granted a conditional use permit for from the City Of Costa Mesa.
2. The requested use is for similar purposes to that which the City Of Costa Mesa has previously granted the applicant for Unit G-3, with the exception that G-4/5 will not be used for worship (G-3 will). The uses (G-4/5) will be: multipurpose [IE., social; meeting; occasional classrooms] and office-administrative.
3. The use of the building (G-4/5) is off-hours from the normal hours of use by businesses in Cambridge Park.
4. Our proposed hours of use are: Sunday AM (8 AM-1 PM); Wednesday (7:30 PM – 9 PM); Saturday (6:30 PM – 7:30 PM).
5. Since the building is used off-hours [evening and weekends], parking is not an issue since there is ample parking for our needs [the parking lot is empty, except for our use]; these needs do not conflict with the other occupants during these off-hours.
6. Our use during off-hours provides a security benefit to Cambridge Park.
7. Since we use the building at night and on weekends, our presence provides a security benefit to an otherwise unoccupied Cambridge Park.
8. St. Barnabas serves the religious needs of the citizens of Costa Mesa and surrounding cities.

**RESOLUTION NO. PC-06-**

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF COSTA MESA APPROVING PLANNING  
APPLICATION PA-06-12**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Kevin Allen, authorized agent for Richard Bauer, with respect to the real property located at 3505 Cadillac Avenue, Suites G4 and G5, requesting approval of a conditional use permit to allow an existing church (St. Barnabus Orthodox Church) to expand into two adjacent suites for multipurpose uses (i.e., meetings, classes, and similar gatherings), and administrative offices with no worship services, in a portion of an existing industrial building; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 8, 2006;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-12 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for PA-06-12 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this resolution, and any recommendation for approval herein contained, shall be deemed null and void.

**PASSED AND ADOPTED this 8th day of May, 2006.**

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Bill Perkins, Chair  
Costa Mesa Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on May 8, 2006, by the following votes:

AYES:       COMMISSIONERS

NOES:       COMMISSIONERS

ABSENT:     COMMISSIONERS

ABSTAIN:    COMMISSIONERS

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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"****FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed use is compatible and harmonious with uses on surrounding properties.
  2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
  3. The project is consistent with the General Plan.
  4. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the use of the suites would be for multipurpose uses (i.e., meetings, classes, and similar gatherings), and administrative offices. No worship services are proposed in the expanded suites and no changes to the worship/sanctuary are proposed. The offset hours of operation will not result in adverse parking impacts to surrounding uses. Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation for the property and will not increase the site's degree of nonconformity with the General Plan with regard to floor area ratio.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project, as conditioned, is consistent with Chapter IX, Article 11, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.



**EXHIBIT "B"****CONDITIONS OF APPROVAL**

- Plng.
1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
  2. All conditions of approval for Planning Application PA-97-50 shall continue to be complied with.
  3. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The applicant and/or business owner shall institute whatever security and operational measures are necessary to comply with this requirement.
  4. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
  5. Hours of operation for meetings, classes, and similar gatherings shall be limited to the hours between 7:00 p.m. to 9:00 p.m., weekdays, 6:00 p.m. to 7:30 p.m. on Saturdays, and 8:00 a.m. to 1:00 p.m. Sundays.
  6. The use shall be limited to the type of operation described in the staff report, i.e., a multipurpose facility for meetings, classes, and similar gatherings and administrative offices. No worship services shall be conducted in Suites G4 and G5. Any change in the operational characteristics including, but not limited to, hours of operation, shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
  7. If parking shortages or other parking-related problems arise, the applicant shall institute whatever operational measures are necessary to minimize or eliminate the problem.
  8. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
  9. The applicant shall contact the Planning Division to arrange a Planning inspection of the site prior to occupancy. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

## PLANNING DIVISION STAFF REPORT

AGENDA NO. 6.g.

SITE LOCATION 3505 Cadillac Avenue

APPLICATION NO. PA-97-50

AP # 139-661-06

MANDATORY ACTION DATE April 29, 1998

(Owner of Record)

APPLICANT Cambridge Park Patmers

AUTHORIZED AGENT Father Wayne Wilson

ADDRESS PO Box 9164

ADDRESS 8011 Taylor Drive

Newport Beach, CA 92660

Hunting Beach, CA 92646

APPLICANT IS REMINDED THAT ALL ORDINANCES AND REGULATIONS GOVERNING THE USE OF THE LAND OR BUILDING(S) TO WHICH THIS APPLICATION PERTAINS MUST BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

PREPARED BY Gabriel Elliott, Associate Planner

DATE PREPARED November 18, 1997

LAST UPDATE \_\_\_\_\_

### REQUEST:

Conditional use permit to allow a church in an existing industrial building with offset hours of operation for purposes of calculating parking.

### STAFF RECOMMENDATION:

Approve, subject to conditions.

FINAL COMMISSION ACTION: November 24, 1997

Approved by adoption of Planning Commission Resolution PC-97-59 based on analysis and information contained in the Planning Division staff report and findings contained in exhibit "A", subject to conditions in exhibit "B" with modification as shown in exhibits.

(5-0)

APPLICANT NOTIFIED ns DATE November 26, 1997

CITY OF COSTA MESA, 77 FAIR DRIVE, COSTA MESA, CA 92628-1200



**I. DESCRIPTION****A. Subject Property**

1. Location - 3505 Cadillac Avenue, # G -1
2. General Plan designation - Industrial Park
3. Zone - PDI
4. Present Development - Industrial office condominium
5. Lot Area - 13.9 acres
6. CEQA - Exempt, Class 1

**B. Surrounding Property**

All surrounding properties are industrially zoned and developed, except along the west where the property borders the Santa Ana River and an Edison easement, and to the south, where the property borders the San Diego Freeway.

**C. Request**

Conditional use permit to allow a church in an existing 6,000 sq. ft. industrial building, with off-set hours of operation for purposes of calculating parking.

**D. Background**

The development is an industrial condominium approved under Zone Exception Permit ZE-80-160. The subject building is one of the one-story structures designated for industrial and technology uses, and designed with warehouse and office area. A total of 670 parking spaces are provided for the development; 591 parking spaces are required per ZE-80-160.

**II. PROJECT DESCRIPTION**

The request consists of a conditional use permit to allow Saint Barnabas Orthodox Church to operate an eastern orthodox Christian church service in an existing 6,000 sq. ft. industrial office/warehouse building. Proposed church services will be on Wednesdays from 7:30 p.m. to 8:30 p.m., Saturdays between 6 p.m. and 7 p.m., and Sundays between 8 a.m. and 1 p.m. Also, according to the applicant, special evening services are proposed for 6:30 p.m. approximately six times a year. Additionally, one daytime business hour service is proposed on Holy Friday (Friday before Easter). This service, according to the church spokesperson, usually generates limited attendance due to parishioners' work schedules.

According to the applicant, the church office will be primarily utilized by one priest although, occasionally, one to two church members will render some office work assistance.

Submitted floor plans indicate that the sanctuary area will consist of one-third of the total floor area (2,000 sq. ft.). Another 2,000 sq. ft. of floor area will be devoted to Sunday school classrooms and social area, and the remainder of the floor space will consist of a lobby (500 sq. ft.), office (224 sq. ft.), altar area (800 sq. ft.), and storage area (280 sq. ft.).

Saint Barnabas Orthodox church is in the process of purchasing the building.

### **III. PLANNING STAFF ANALYSIS**

The project is proposed within the Cambridge Park development where a list of specified uses are permitted. Non-industrial uses of an institutional nature may be permitted in the Industrial Park General Plan designation and PDI (Planned Development Industrial) zone by approval of a conditional use permit, if the Planning Commission determines that the use is consistent with other uses in the development. In this case, the institutional use is proposed mainly for after office hours and on weekends when a majority of the uses in the development will be closed.

Parking for churches is based on the size of the sanctuary area, specifically, one parking space per 35 sq. ft. of sanctuary area. At this ratio, 57 parking spaces are required for the project. In contrast, the industrial building with the office and warehouse uses generates an 18-parking-space requirement.

Surplus parking exists within the development based on the number of parking spaces provided (670) and the number of parking spaces required (591). The 79-space difference absorbs the excess parking generated by the church (39). Also, in terms of consistency of the church use with other uses in the development, most of the day-time, week-day use of the church will be office related and, therefore, consistent with the predominant uses for the remainder of the site. Additionally, Staff feels that with the church's primary hours of operation occurring in the evenings and on weekends, and because the use is institutional in nature, it is consistent with other uses within the development.

IV. PLANNING STAFF RECOMMENDATION

Approve by adoption of Planning Commission resolution based on findings contained in Exhibit "A", subject to conditions of approval contained in Exhibit "B".

RESOLUTION NO. PC-97-59

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY  
OF COSTA MESA APPROVING PLANNING ACTION PA-97-50

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Father Wayne Wilson, authorized agent for Cambridge Park Partners, with respect to the real property located at 3503 Cadillac Avenue # G-1, requesting a conditional use permit to allow a church in an existing industrial building with off-set hours of operation for the purpose of calculating parking, in the PDI zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on November 24, 1997.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in exhibit "A", and subject to the conditions contained in exhibit "B", the Planning Commission hereby **APPROVES** Planning Action PA-97-50 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Action PA-97-50, and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the Conditions of Approval, then this Resolution, and any approvals herein contained, shall be deemed null and void.

**PASSED AND ADOPTED** this 24<sup>th</sup> day of November, 1997.

  
Chair, Costa Mesa Planning Commission

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

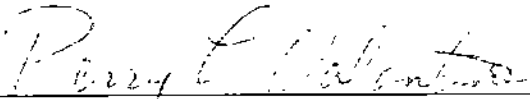
I, Perry L. Valantine, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on November 24, 1997, by the following votes:

AYES: COMMISSIONERS Davenport, Dixon, Sutro, Fewel, Robertson

NOES: COMMISSIONERS None

ABSENT: COMMISSIONERS None

ABSTAIN: COMMISSIONERS None

  
\_\_\_\_\_  
Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"**

**FINDINGS**

- A.** The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed church, based on offset hours of operation, will be substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, church services will be held on weekdays after closing hours for most of the rest of the development, and on weekends when most of the offices and businesses at the industrial complex are closed. This, in addition to the existing parking surplus on the site, facilitates parking availability for the church without negatively impacting the rest of the development. Lastly, the use is considered an institutional use. Therefore, granting the conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
- B.** The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- C.** The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.



**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

- Plng. 1. The conditional use permit herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
2. Daytime church operation shall be limited to priest(s) with assisting church members.
3. There shall be no daytime services except on religious holidays such as Christmas Eve, Holy Thursday and Holy Friday .
4. Evening services may not commence before 6:00 p.m.
5. Any amendment or changes to the hours or mode of operation described in the staff report may require review by the Planning Commission.
6. The conditions of approval and ordinance or code provisions of planning application PA-97-50 shall be blueprinted on the face of the site plan.
7. The applicant shall contact the Planning Division to arrange for a "special requirements" inspection of the site prior to the release of occupancy. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
8. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.
9. The church and any supporting activities shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding properties and businesses. The applicant shall institute whatever measures are necessary to comply with this requirement.
10. Since the church's parking is based on the size of the sanctuary, any changes to enlarge the sanctuary may not be initiated without prior approval of an amended conditional use permit.

**CODE REQUIREMENTS**

- Plng. 1. Approval of the planning application is valid for one (1) year and will expire at the end of that period unless building permits are obtained and business commences, or the applicant applies for and is granted an extension of time.

2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- Fire 3. A Fire Department permit for place of assembly is required.
4. All exits shall be equipped with panic hardware per requirements of the Uniform Building Code.
5. Appropriate occupancy separation shall be provided between uses per requirements of the Uniform Building Code.
- Bldg. 6. Comply with the requirements of the Uniform Building Code as to design and construction and CCR Title 24 pertaining to "Disabled Access Regulations" and Energy requirements.

**SPECIAL REQUIREMENTS**

- Sani. 1. Applicant shall pay all applicable sanitary district fixture fee charges (714) 754-5307.

# ZONING/LOCATION MAP

PA-06-12

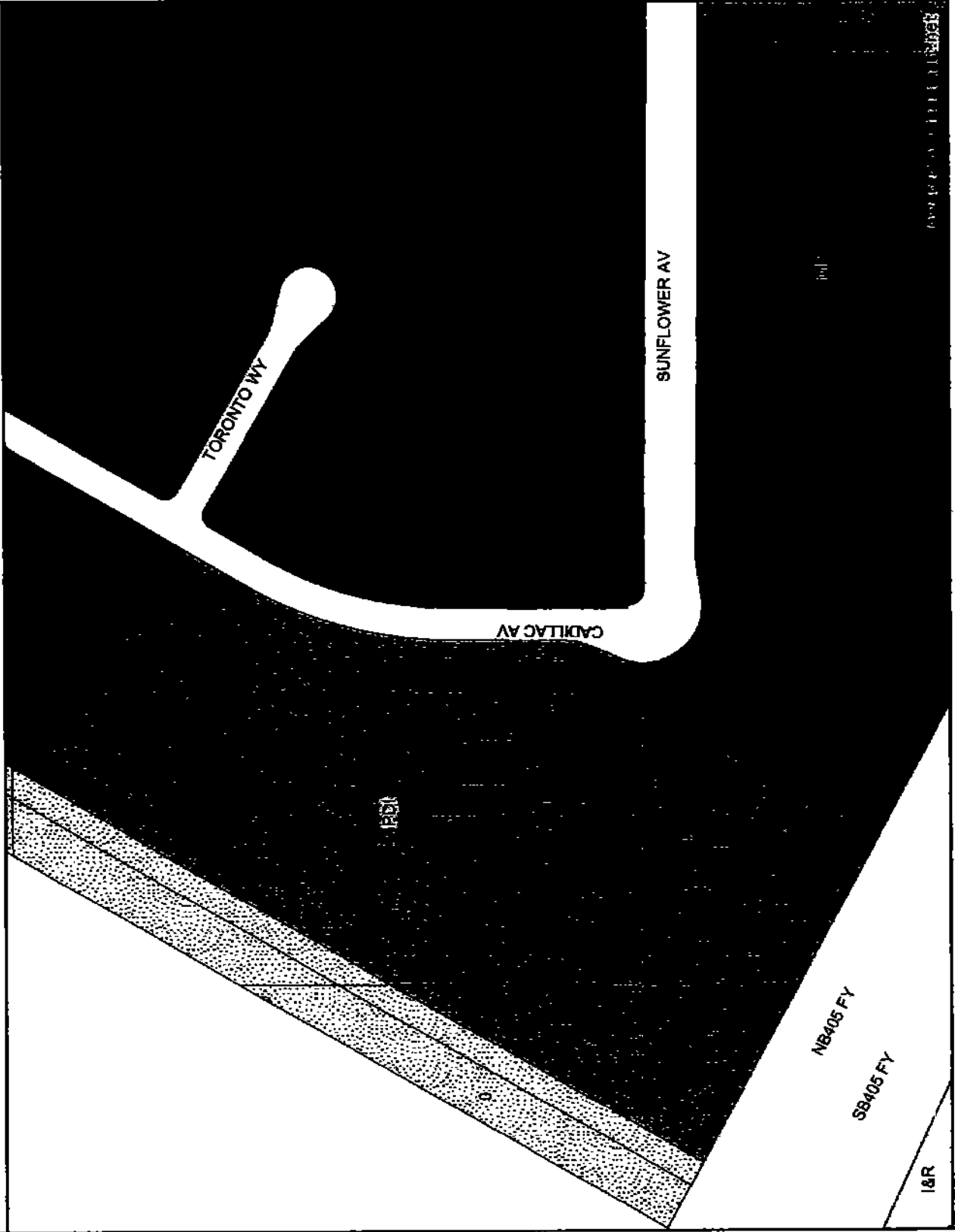
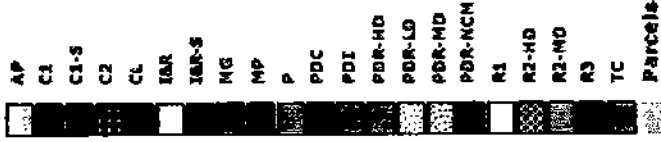
## Legend

☐ Selected Features

Street Names

Parcel Lines

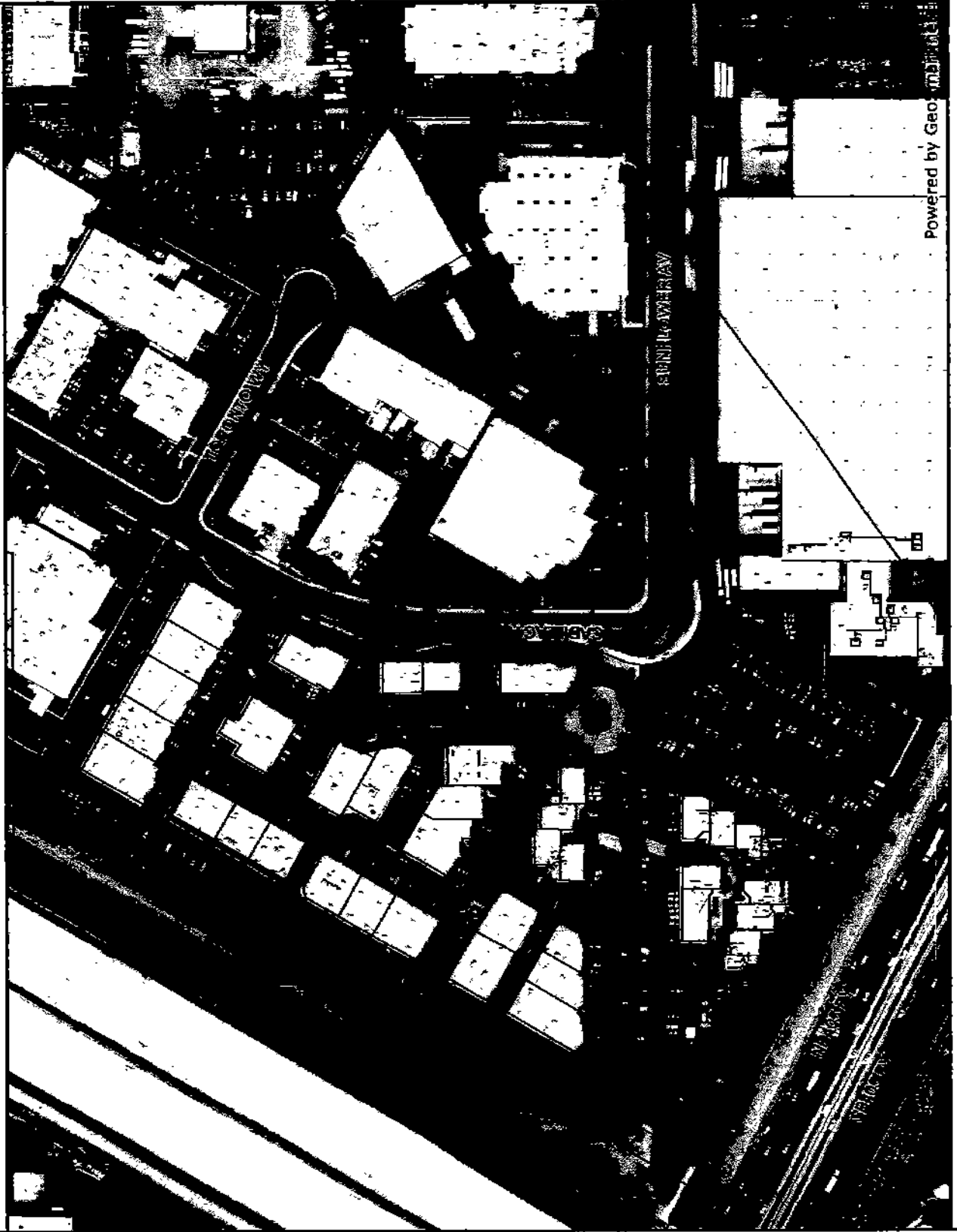
Zoning



# 3505 CADILLAC AVE., G3-G5

## Legend

- ☐ Selected Features
- Street Names
- Parcel Lines
- Ortho Photography
- Parcels

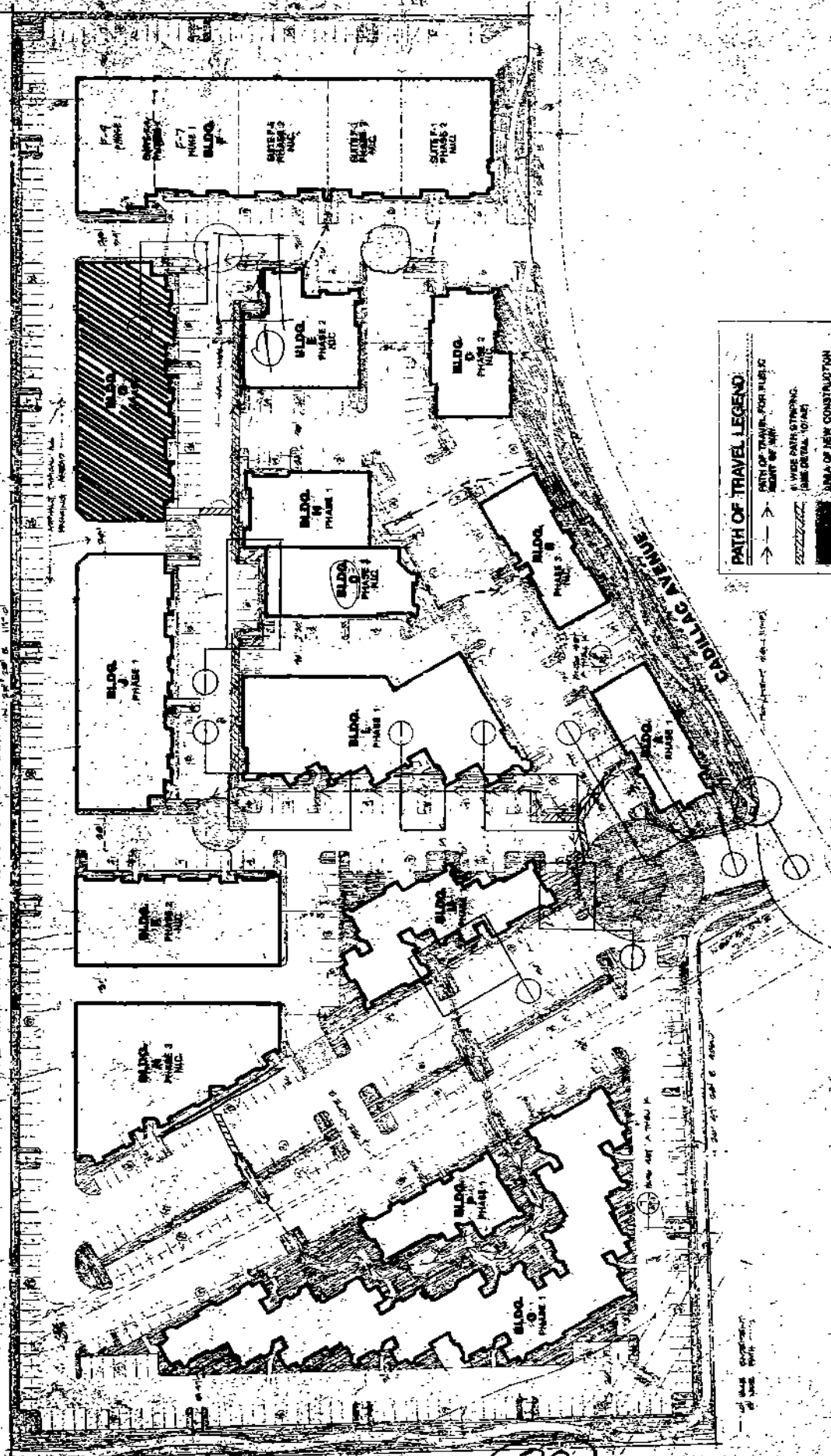


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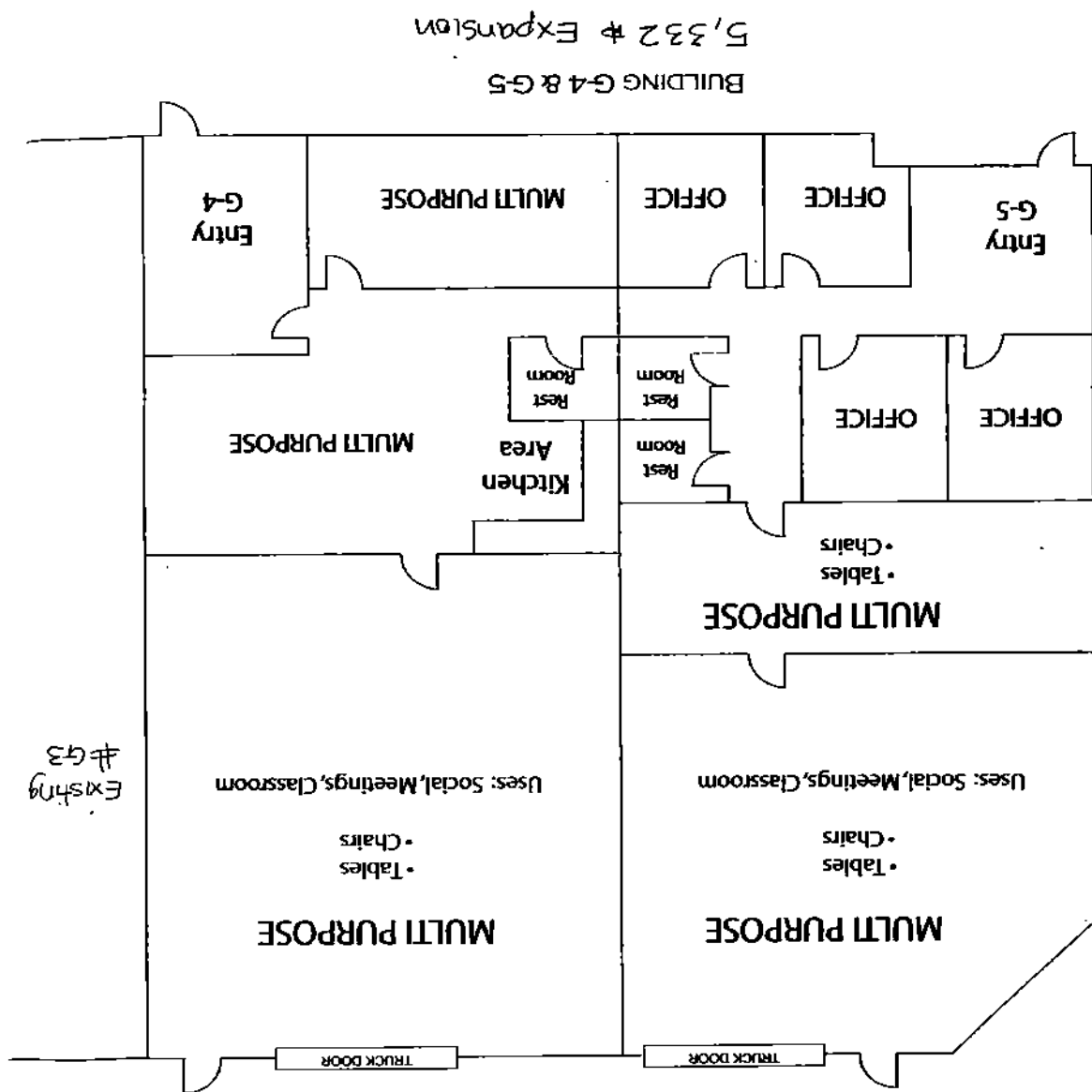
SITE PLAN



**PATH OF TRAVEL LEGEND:**

- PATH OF TRAVEL FOR BLDG. (Symbol: Arrow pointing right)
- WIDE PATH STRIPING (Symbol: Dashed line)
- AREA OF NEW CONSTRUCTION (Symbol: Hatched area)
- LANDSCAPE PARKING LOT/STATION (Symbol: Circle with 'X')

20



St. Barnabas Orthodox Church  
3505 Cadillac Avenue; Suite G-3  
Costa Mesa, CA

SECTION  
A-A @  
X4 @

22

SECTION  
MIN  
MEASURES

ANY LOADS  
202.3, 3

ST. V-A  
A-3

